

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AIDA TORRES and EDWIN TORRES,	:	
	:	
Plaintiffs,	:	CIVIL ACTION
	:	
v.	:	No. 09-cv-0178
	:	
CONTROL BUILDING SERVICES, et al.,	:	
	:	
Defendants.	:	

**Order**

AND NOW, this 16th day of February, 2010, upon consideration of Defendants Rita's Water Ice Real Estate Company and Rita's Real Estate Franchise Company's Motion for Summary Judgment (Doc. No. 34) and response thereto, it is hereby ORDERED that Defendants' Motion is GRANTED for the reasons set forth in the attached memorandum. Upon consideration of Defendants Lincoln Plaza Associates and Control Building Services' Motion for Summary Judgment (Doc. No. 35) and responses thereto, it is hereby further ORDERED that Defendants' Motion is GRANTED in Defendants' favor on all of Plaintiffs' claims brought under the Restatement (Second) of Torts § 343, but is DENIED on Plaintiffs' claims under the Restatement (Second) of Torts § 344 and Plaintiff Edwin Torres's claim for loss of consortium.

BY THE COURT:

s/J. Curtis Joyner  
J. CURTIS JOYNER, J.